

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

USDC SDNY
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MDL 1358

This document refers to:

Suffolk County Water Authority v. Amerada Hess Corp., et al., 04 Civ. 5452

**STIPULATION AND ORDER OF DISMISSAL
OF NAVIGATION LAW CLAIMS AGAINST
DEFENDANT GIANT YORKTOWN, INC.**

This Stipulation by and between the County of Suffolk and Suffolk County Water Authority, as Plaintiffs, and Giant Yorktown, Inc., as Defendant, by and through their undersigned attorneys, is made effective this 24th day of March 2008:

In Re: Methyl Tertiary Butyl Ether ("MTBE") Products Liability Litigation ¹ Plaintiffs voluntarily dismiss without prejudice their claims under Article 12 of the Navigation Law (New York Spill Prevention, Control and Compensation Act) as against Giant Yorktown, Inc. for the following wells: Broadway Well No. 2; Church Street (Bohemia) Well No. 1; Church Street (Holbrook) Well No. 2; College Road Well No. 2; Crystal Brook Hollow Well No. 3; Dare Road Well No. 1; Horseblock Well No. 1; Kayron Drive Well No. 1A; Lakeview Well No. 1; Montauk Highway Well No. 1A; Oak Street Well No. 1; Morris Avenue Well No. 2; Samuel Street Well No. 4; Strathmore Court Well No. 1; Virginia Ave. Well No. 1; Wheat Path Well No. 3; Wheeler Road Well No. 1; and Wicks Road Well No. 1.

Doc. 1769

2. Plaintiffs expressly reserve all remaining claims alleged in the Sixth Amended Complaint against Giant Yorktown, Inc. and Giant Yorktown, Inc. expressly reserves all defenses asserted in its Master Answer relating thereto.

Dated: March 24 2008

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By: /s/ Steven J. German

By: /s/ Robert F. Redmond, Jr.

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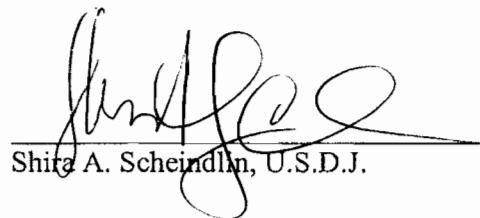
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Counsel for Giant Yorktown, Inc.

Dated: 3/31/08

IT IS SO ORDERED:



Shira A. Scheindlin, U.S.D.J.